

**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Bendele et al.

Serial No.: 09/907,263

Group Art Unit No.: 1646

Filed: July 17, 2001

Examiner: L. Spector

For: COMBINATION THERAPY USING A TNF BINDING  
PROTEIN FOR TREATING TNF-MEDIATED  
DISEASES

Docket No.: A-430F

*Ch  
LPP  
10/28/02***AMENDMENT UNDER 37 CFR 1.121**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action dated August 27, 2002, Paper No. 8, please amend this application as follows:

**In the Claims**

Please cancel claims 42-71 inclusive.

**Remarks**

**Claim status.** Claims 1 and 27 to 41 are now in the case. Claims 42-71 are canceled as nonelected claims under a restriction requirement and the Applicants reserve the right to file divisional application(s) thereon.

**Election under restriction requirement.** The Office Action identified two groups from which restriction was required. Group I included Claims 1 and 27-41; group II, claims 42-71. The Applicants hereby elect group I identified in the Office Action, Claims 1 and 27-41.

The Office Action further required the Applicants to elect species within each of the terms TNF binding protein, anti-inflammatory drug, and inflammatory disease. The Applicants elect sTNF-RII as the TNF binding

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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September 10, 2002  
DateChristina A. Gutierrez

# RESTRICTION ELECTION FACSIMILE TRANSMISSION

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PAGES, INCLUDING COVERSHEET: 3  
PHONE NUMBER: (805) 447-2688  
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ART UNIT: 1616  
SERIAL NUMBER: 09/907,263  
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